

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office OCT 10 2002

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JUL 05 2001 under 67735

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The applicant **Bing Construction Company** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit 53266, Certificate 14214**

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1. The source of water is **underground**
2. The amount of water to be changed **1.4 CFS, not to exceed 776.6 acre-feet**
3. The water to be used for **Industrial and Domestic**
4. The water heretofore permitted for **Industrial and Domestic**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 16, T.12N., R.20E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$  corner of said Section 16 bears S 84° 25' 00" E., a distance of 1680.00'. Refer to map on file under Permit 67735.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 16, T.12N., R.20E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$  corner of said Section 16 bears S 74° 58' 06" E., a distance of 1859.98'. Refer to map on file under Permit 53266, Certificate 14214.**
7. Proposed place of use **Portion NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 17; NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ , portion SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 16; portion NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 20; portion NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21; all in T.12N., R.20E., M.D.B.&M. Refer to map on file under Permit 67735.**
8. Existing place of use **portions of S $\frac{1}{2}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 16; portions of E $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 17; and portions of N $\frac{1}{2}$  NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21; T.12N., R.20E., M.D.B.&M. Refer to map on file under Permit 53266, Certificate 14214.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Existing drilled well 336' with a 16" casing, Goulds 2 stage submersible pump and 125 horsepower motor.**
12. Estimated cost of works **\$50,000.00**
13. Estimated time required to construct works **Completed under Permit 67735**
14. Estimated time required to complete the application of water to beneficial use **Three (3) years.**
15. Remarks: **The total combined duty of this permit and Permit 53266, Certificate 14214 is not to exceed 833.74 acre-feet annually. The total combined duty of this application and**

**69233**

Permits 24427, 53265, 53266, 53267, 57253 and 67735 shall not exceed 854.74 acre-feet annually.

By Gregory M. Bilyeu  
s/Gregory M. Bilyeu  
500 Damonte Ranch Pkwy., Suite 1056  
Reno, Nevada 89521

Compared sg/sam dr/cmf

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 53266, Certificate 14214 is issued subject to the terms and conditions imposed in said Permit 53266, Certificate 14214 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 24427, Certificate 7330; 53265, Certificate 14147; 53266, Certificate 14214; 53267, Certificate 14148; 57253, Certificate 14219; 67735 and 69233 shall not exceed 854.74 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.4 cubic feet per second, **but not to exceed 776.6 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

November 7, 2006

Proof of the application of water to beneficial use shall be filed on or before:

December 7, 2006

Map in support of proof of beneficial use shall be filed on or before:

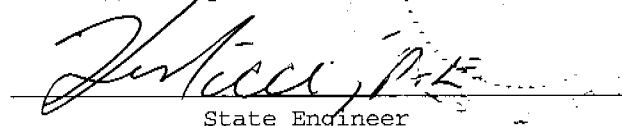
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 14th day of October, A.D. 2003

  
State Engineer

Completion of work filed September 17, 2002 under 67735

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_